

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/30/2024

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT C. SLOMA,

Plaintiff,

-against-

LONG ISLAND RAILROAD,

Defendant.

23-CV-10416 (DEH) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

As a precondition to the settlement conference scheduled for November 4, 2024, the Court directed the parties to conduct at least one "good-faith settlement discussion, in person or by telephone, and that each party convey to each opposing party at least one good-faith settlement demand or offer[.]" (Dkt. 20) at ¶ 2 (specifying that "[p]ast settlement negotiations may not be relied upon to satisfy this requirement."). The Court has received and reviewed the parties' confidential settlement letters. They fail to demonstrate that the parties have conferred *in person or by telephone*. Additionally, defendant admits it has not made an offer.

Consequently, the parties must meet and confer in **real time** (*i.e.*, in person or by telephone), exchange at least one good-faith settlement demand or offer, and, no later than **November 1, 2024, at noon**, submit a joint confidential settlement update letter to chambers by email, addressed to Moses_NYSDChambers@nysd.uscourts.gov, marked "Confidential Material for Use Only at Settlement Conference." The letter must briefly describe the parties' settlement negotiations to date, including the date and time of the parties' last good-faith, real-time, settlement discussion, and the terms of each party's most recent demand or offer.

Because Judge Moses normally holds only one settlement conference per case, the parties are required to demonstrate, prior to the conference, that they have meaningfully initiated the negotiation process.

Dated: New York, New York
October 30, 2024

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge